

## **REMARKS**

### **Claim Rejection Under 35 U.S.C. 112**

Claims 10-13 have been objected to because of an informality. Claims 14-18 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claims 1, 10, 14, and 16-18, as indicated in the Listing of Claims above, in accordance with the recommendations of the examiner in the outstanding office action, and as explained below.

Claim 1 is amended to add a missing semi-colon at the end of paragraph (a).

Claim 10 is amended to remove an inappropriate period in line 2, and is also amended to clarify that the second sequence variation is effective to substantially eliminate the production of sequencing products from interaction of the internal quantitation standard with a sequencing primer that is “effective for producing sequencing fragments” from the first amplified sample fragment.

Claim 14 is amended to add the word “and” at the end of paragraph (b), and also to clarify that the second sequence variation is effective to substantially eliminate the production of sequencing products from interaction of the internal quantitation standard with a sequencing primer that is “effective for producing sequencing fragments” from the first amplified sample fragment.

Claim 16 is amended to correctly reflect dependency from claim 15.

Claim 17 is amended to replace the word “of” with the word “or.”

Claim 18 is amended to add a reference to the “second region,” which was inadvertently omitted in the original claim.

The above amendments are responsive to the Examiner’s objections to claims 10-13 and rejection of claims 14-18, and the Examiner’s specific recommendations for placing the claims in condition for allowance.

**CONCLUSION**

Applicant submits that the claims are believed to be in condition for allowance. Applicant therefore requests that the rejections be withdrawn and the claims be allowed to issue.

Respectfully submitted,

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Date: February 18, 2004

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**PATENT APPLICATION**  
**Attorney Docket No. 49493.830020.US3**  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jean-Michel Lacroix	Conf. No.: 4228
Serial No.: 10/082,546	Examiner: Horlick, Kenneth R.
Filed: February 25, 2002	Art Unit: 1637
For: METHOD AND KIT FOR QUANTITATION AND NUCLEIC ACID SEQUENCING OF NUCLEIC ACID ANALYTES IN A SAMPLE	Atty. Docket No.: 49493.830020.US3 (0214)
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